

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

MARY KATHRYN ROTH, *et al.*,

Plaintiffs,

v.

THE BOEING COMPANY, *et al.*,

Defendants.

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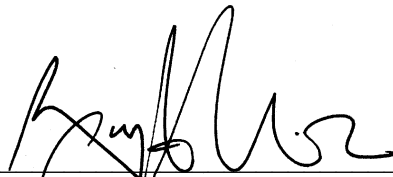
CIVIL ACTION H-07-3259

ORDER

On October 3, 2007 defendant The Boeing Company removed this case to the United States District Court, Southern District of Texas, Houston Division. On October 4, 2007 defendant filed a motion to transfer the case to the Brownsville Division due to a mistake in the electronic filing process resulting in the case being filed in the Houston Division rather than in the Brownsville Division. Defendant has corrected this error and properly re-filed electronically in the Brownsville Division under case number 1:07-CV-154. Therefore, this Court will construe defendant's motion to transfer as a voluntary dismissal of the Houston Division case.

It is therefore ORDERED that this case be DISMISSED without prejudice.

Signed at Houston, Texas on October 4, 2007.



Gray H. Miller
United States District Judge